

RECORDATION NO. 22041-13 FILED

JUN 15 '07 -9 3 0 AM

ALVORD AND ALVORD  
ATTORNEYS AT LAW  
1050 SEVENTEENTH STREET, N.W.  
SUITE 301

WASHINGTON, D.C.  
20036

(202) 393-2266

FAX (202) 393-2156

E-MAIL alvordlaw@aol.com

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

OF COUNSEL  
URBAN A LESTER

SURFACE TRANSPORTATION BOARD

June 15, 2007

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Notice of Partial Termination of Lease, dated as of June 12, 2007, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memoranda of Lease and Assignment and Assumption Agreement previously filed with the Board under Recordation Number 22041-A and 22041-B, respectively.

The name and address of the party to the enclosed document are:

Lessor: National City Commercial Capital Company, LLC  
(f/k/a National City Leasing Corporation)  
101 S. Fifth Street Locator T08K  
Louisville, KY 40202

[Lessee: The Kansas City Southern Railway Company  
114 West 11th Street  
Kansas City, Missouri 64105]

Mr. Vernon A. Williams  
June 15, 2007  
Page 2

A description of the railroad equipment covered by the enclosed document is:

19 gondola railcars within the series KCS 899002 – KCS 899037 as more particularly set forth in the equipment schedule attached to the document.

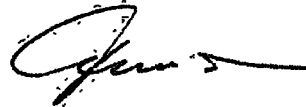
A short summary of the document to appear in the index is:

Notice of Partial Termination of Lease.

Also enclosed is a check in the amount of \$35.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Alvord', with a long horizontal flourish extending to the right.

Robert W. Alvord

RWA/sem  
Enclosures

RECORDATION NO.

22041-1  
FILED

JUN 15 '07 -9 30 AM

NOTICE OF PARTIAL TERMINATION OF LEASE

**SURFACE TRANSPORTATION BOARD**

The undersigned, NATIONAL CITY COMMERCIAL CAPITAL COMPANY, LLC (f/k/a National City Leasing Corporation), assignee of The David J. Joseph Company, Lessor, publishes this notice that the Amendment No. 2 to Railroad Equipment Lease, dated as of July 13, 2004, between Lessor and The Kansas City Southern Railway Company, Lessee, as subsequently amended or modified (the "Lease"), as it applies to those nineteen gondola railcars identified on Exhibit A attached hereto, is hereby terminated except with respect to those obligations, if any, of Lessor and Lessee under the Lease which expressly survive any termination thereof.

A Memorandum of the Lease was originally filed with the Surface Transportation Board on July 27, 2004 at 1:36 p.m. under Recordation Number 22041-A and subsequently assigned to Lessor under Recordation Number 22041-B filed on September 20, 2004 at 4:02 p.m.

NATIONAL CITY COMMERCIAL  
CAPITAL COMPANY, LLC

By: Rae E. Buck III  
Name: RAE E. BUCK III  
Title: V. P.

COMMONWEALTH OF MASSACHUSETTS )  
 ) ss:  
COUNTY OF MIDDLESEX )

On this 12 day of June, 2007, before me personally appeared RAE E. BUCK III, to me personally known, who, being by me duly sworn, says that he/she is a VP of National City Commerical Capital Company, LLC, that the said instrument was signed on behalf of said corporation by authority of its Board of Directors, and he/she acknowledged that the execution of the foregoing instrument was the free act and deed of said limited liability company.

[Signature]  
Notary Public in and for the  
Commonwealth of Massachusetts

My commission expires:

6/21/07

## EXHIBIT A

Quantity	Description	Reporting Marks
19	100 ton Gondola's	KCS 899002 KCS 899003 KCS 899004 KCS 899006 KCS 899007 KCS 899008 KCS 899009 KCS 899010 KCS 899012 KCS 899013 KCS 899015 KCS 899039 KCS 899040 KCS 899043 KCS 899047 KCS 899030 KCS 899034 KCS 899036 KCS 899037

**CERTIFICATION**

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

6/15/07



\_\_\_\_\_  
Robert W. Alvord